

Drug Enforcement Administration, Justice

§ 1310.02

rehabilitative efforts following the action. The registrant shall assess the risks involved in employing such persons, including the potential for action against the registrant pursuant to § 1309.43. If such person is found to have diverted listed chemicals, and, in the event of employment, shall institute procedures to limit the potential for diversion of List I chemicals.

(b) It is the position of DEA that employees who possess, sell, use or divert listed chemicals or controlled substances will subject themselves not only to State or Federal prosecution for any illicit activity, but shall also immediately become the subject of independent action regarding their continued employment. The employer will assess the seriousness of the employee's violation, the position of responsibility held by the employee, past record of employment, etc., in determining whether to suspend, transfer, terminate or take other action against the employee.

§ 1309.73 Employee responsibility to report diversion.

Reports of listed chemical diversion by fellow employees is not only a necessary part of an overall employee security program but also serves the public interest at large. It is, therefore, the position of DEA that an employee who has knowledge of diversion from his employer by a fellow employee has an obligation to report such information to a responsible security official of the employer. The employer shall treat such information as confidential and shall take all reasonable steps to protect the confidentiality of the information and the identity of the employee furnishing information. A failure to report information of chemical diversion will be considered in determining the feasibility of continuing to allow an employee to work in an area with access to chemicals. The employer shall inform all employees concerning this policy.

PART 1310—RECORDS AND REPORTS OF LISTED CHEMICALS AND CERTAIN MACHINES

Sec.
1310.01 Definitions.

- 1310.02 Substances covered.
- 1310.03 Persons required to keep records and file reports.
- 1310.04 Maintenance of records.
- 1310.05 Reports.
- 1310.06 Content of records and reports.
- 1310.07 Proof of identity.
- 1310.08 Excluded transactions.
- 1310.09 Temporary exemption from registration.
- 1310.10 Removal of the exemption of drugs distributed under the Federal Food, Drug and Cosmetic Act.
- 1310.11 Reinstatement of exemption for drug products distributed under the Food, Drug and Cosmetic Act.
- 1310.12 Exempt chemical mixtures.
- 1310.13 Exemption of chemical mixtures; application.
- 1310.14 Removal of exemption from definition of regulated transaction.
- 1310.15 Exempt drug products containing ephedrine and therapeutically significant quantities of another active medicinal ingredient.
- 1310.21 Sale by Federal departments or agencies of chemicals which could be used to manufacture controlled substances.

AUTHORITY: 21 U.S.C. 802, 827(h), 830, 871(b) 890.

SOURCE: 54 FR 31665, Aug. 1, 1989, unless otherwise noted.

§ 1310.01 Definitions.

Any term used in this part shall have the definition set forth in section 102 of the Act (21 U.S.C. 802) or part 1300 of this chapter.

[62 FR 13968, Mar. 24, 1997]

§ 1310.02 Substances covered.

The following chemicals have been specifically designated by the Administrator of the Drug Enforcement Administration as the listed chemicals subject to the provisions of this part and parts 1309 and 1313 of this chapter. Each chemical has been assigned the DEA Chemical Code Number set forth opposite it.

(a) List I chemicals

- (1) Anthranilic acid, its esters, and its salts8530
- (2) Benzyl cyanide8735
- (3) Ephedrine, its salts, optical isomers, and salts of optical isomers8113
- (4) Ergonovine and its salts8675
- (5) Ergotamine and its salts8676
- (6) N-Acetylanthranilic acid, its esters, and its salts8522